

ORIGINAL

FILED
COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

APR 18 2023

JOHN D. HADDEN
CLERK



IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

THE CLERK SHALL ENTER THE FOLLOWING ORDERS OF THE COURT:

- 1 **MA-2023-196** **KENNETH H. TIBBETS v. THE**
 Beckham County **DISTRICT COURT OF**
 Case No. CF-2015-188 **BECKHAM COUNTY**
 Honorable Jill C. Weedon
 District Judge

ORDER DISMISSING REQUEST AS MOOT

On March 29, 2023, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

- 2 **MA-2023-279** **JOSEPH M. NEAY v. THE**
 Pottawatomie County **STATE OF OKLAHOMA**
 Case Nos. CF-2012-850, and
 CF-2013-757C
 Honorable Tracy McDaniel
 Associate District Judge

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

EXHIBIT 19

3 **MA-2023-285**
 Oklahoma County
 Case No. CF-2005-369
 Honorable N. Nikki
 Kirkpatrick
 District Judge

JAMIE LYNN PAYNE v.
OKLAHOMA COUNTY

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

4 **MA-2023-185**
 Muskogee County
 Case No. CF-2019-277
 Honorable Orvil Loge
 Associate District Judge

MICHAEL K. TOMBLINSON v.
THE STATE OF OKLAHOMA

ORDER DISMISSING REQUEST AS MOOT

On July 28, 2022, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

5 **MA-2023-189**
Muskogee County
Case No. CF-2019-277
Honorable Orvil Loge
Associate District Judge

MICHAEL K. TOMBLINSON v.
THE STATE OF OKLAHOMA

ORDER DISMISSING REQUEST AS MOOT

On September 28, 2022, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

6 **MA-2023-288**
Muskogee County
Case No. CF-2001-793
Honorable Norman Thygesen
Associate District Judge

DONYEIL JEROME MCINTOSH
v. THE STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

7 **HC-2023-278**
Cleveland County
Case No. WH-2023-3
Honorable Jeff Virgin
District Judge

DAVID BRIAN MORGAN v. THE
STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on

the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

8 **PC-2023-297**
 Comanche County
 Case No. CF-2021-427
 Honorable Scott Meaders
 District Judge

DEREK BRANDON SHOOK v.
THE STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

This Court will only entertain applications for post-conviction relief if Petitioner has sought and been denied relief in the District Court. Rule 5.1 and 5.2(A), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023). Petitioner is required to file with this Court, among other things, a certified copy of the District Court order denying the request for relief. See Rule 5.2(C)(2), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023). Petitioner's pleading requesting post-conviction relief does not contain a copy of a trial court order or records sufficient to prove he was denied relief in the District Court. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

IT IS SO ORDERED.

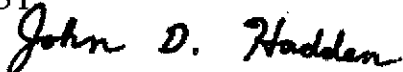
WITNESS MY HAND AND THE SEAL OF THIS COURT this 18th

day of April, 2023.



SCOTT ROWLAND, Presiding Judge

ATTEST:



Clerk